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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

GARY PIERCE - Chairman  
BOB STUMP  
SANDRA D. KENNEDY  
PAUL NEWMAN  
BRENDA BURNS

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Arizona Corporation Commission

DOCKETED

FEB 21 2012

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In the matter of:

DOCKET NO. S-20834A-12-0033

SOUTHWEST BIOFUELS, LLC, a Nevada limited liability company, and

RICK J. JIMINEZ and SUSAN C. JIMINEZ, husband and wife,

Respondents.

**PROCEDURAL ORDER**  
**(Schedules Pre-hearing Conference)**

**BY THE COMMISSION:**

On January 30, 2012, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Temporary Order to Cease and Desist ("T.O.") and a Notice of Opportunity for Hearing ("Notice") against Southwest Biofuels, LLC ("SWB"), a Nevada limited liability company, and Rick J. Jiminez and Susan C. Jiminez, husband and wife, (collectively "Respondents"), in which the Division alleged multiple violations of the Arizona Securities Act ("Act") in connection with the offer and sale of securities in the form of stock.

Respondent spouse, Susan C. Jiminez, was joined in the action for the purpose of determining the liability of the marital community pursuant to A.R.S. §44-2031(C).

The Respondents were duly served with copies of the T.O. and Notice.

On February 17, 2012, Respondents filed a request for hearing in this matter.

Accordingly, a pre-hearing conference should be scheduled.

IT IS THEREFORE ORDERED a **pre-hearing conference** shall be held on **March 14, 2012, at 10:00 a.m.**, at the Commission's offices, 1200 West Washington Street, Hearing Room No. 1 Phoenix, Arizona.

IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized Communications) is in effect and shall remain in effect until the Commission's Decision in this

1 matter is final and non-appealable.

2 IT IS FURTHER ORDERED that all parties must comply with Rules 31 and 38 of the Rules  
3 of the Arizona Supreme Court and A.R.S. § 40-243 with respect to the practice of law and admission  
4 *pro hac vice*.

5 IT IS FURTHER ORDERED that withdrawal or representation must be made in compliance  
6 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the  
7 Rules of the Arizona Supreme Court). Representation before the Commission includes appearances  
8 at all hearings and procedural conferences, as well as all Open Meetings for which the matter is  
9 scheduled for discussion, unless counsel has previously been granted permission to withdraw by the  
10 Administrative Law Judge or the Commission.

11 IT IS FURTHER ORDERED that the Presiding Administrative Law Judge may rescind, alter,  
12 amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by  
13 ruling at hearing.

14 DATED this 21<sup>st</sup> day of February, 2012.

15  
16  
17   
18 MARC E. STERN  
ADMINISTRATIVE LAW JUDGE


19 Copies of the foregoing mailed/delivered  
20 this 21<sup>st</sup> day of February, 2012 to:

21 Nathaniel H. Wadsworth  
22 ROWLEY CHAPMAN BARNEY &  
23 BUNTROCK, LTD.  
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25 Securities Division  
26 ARIZONA CORPORATION COMMISSION  
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By:

27   
28 Debra Broyles  
Secretary to Marc E. Stern